

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE: PET FOOD PRODUCTS  
LIABILITY LITIGATION

Civil Action No. 07-2867 (NLH)

MDL Docket No. 1850

THIS DOCUMENT RELATES TO:  
  
ALL CASES

**DECLARATION OF LISA J.  
RODRIGUEZ REGARDING  
MAJORITY PLAINTIFFS' MOTION  
FOR APPOINTMENT OF INTERIM  
CO-LEAD AND LIAISON COUNSEL  
PURSUANT TO FED. R. CIV. P. 23(G)**

Date: September 26, 2007

Time: 11:00 a.m.

Courtroom: 3A

The Honorable Noel L. Hillman

I, Lisa J. Rodriguez, declare as follows:

1. I am an attorney admitted to practice before the United States Court of Appeals for the Third Circuit, the United States District Courts for the Eastern District of Pennsylvania, the District of New Jersey, and the Northern District of California. I am also admitted to the Supreme Court of Pennsylvania, the Supreme Court of New Jersey and the United States Supreme Court. I make this declaration in support of the Majority Plaintiffs' Motion for Appointment of Co-Lead and Liaison Counsel

2. I am a founding member of Trujillo Rodriguez & Richards LLC ("TRR"). I have been involved in complex class actions for more than 19 years. The last 10 years have been as the managing member of our firm's New Jersey office. I have attached a copy of TRR's firm resume as Exhibit A.

3. TRR is seeking appointment as liaison counsel in this case.

4. TRR's years of experience in New Jersey federal practice, as well as its proximity to the Mitchell H. Cohen Courthouse make it uniquely qualified to fulfill this position.

5. TRR has filed on behalf of five plaintiffs in New Jersey and has been actively involved since the first cases were filed, including educating out-of-state lawyers on specific New Jersey practice.

6. TRR is fully prepared and able to work in a coordinated fashion with all counsel and is able to dedicate the resources necessary to successfully litigate this action.

I hereby declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: September 5, 2007

/s Lisa J. Rodriguez  
Lisa J. Rodriguez

# EXHIBIT A



**TRUJILLO  
RODRIGUEZ &  
RICHARDS, LLC**

A PENNSYLVANIA LIMITED LIABILITY COMPANY  
ATTORNEYS AT LAW

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## **FIRM BIOGRAPHY**

Trujillo Rodriguez & Richards, LLC, with offices in Philadelphia, Pennsylvania, and Haddonfield, New Jersey, is a small firm with a big firm practice. The Firm is an AV rated law firm, which practices in the area of complex transactions and litigation, with an emphasis on antitrust, consumer, securities, labor and employment law, and complex commercial litigation, as well as government relations. The Firm also counsels clients on business, financial, employment, and contractual matters. The Firm's practice is unusually diverse for a firm of its size, and frequently involves the Firm's lawyers in challenging, cutting edge issues. The Firm practiced as Rodriguez & Richards, LLC, in 2000 and 2001, when Kenneth I. Trujillo assumed office as City Solicitor of Philadelphia, Pennsylvania, following his appointment by Mayor John F. Street.

The Firm and its lawyers have repeatedly made headlines for successful representation of clients in complex matters. For example, the Firm obtained a widely reported judgment of \$120 million against Thorn Americas, Inc., in the New Jersey Superior Court. The Firm also represented concerned citizens in negotiating a settlement of potential environmental claims. The settlement resulted in the creation of a program to abate the discharge of pollutants into the rivers and creeks in the Philadelphia area. The Firm also has an active antitrust practice. For example, the Firm's lawyers obtained a \$50 million settlement as co-lead counsel in a multi-district antitrust matter involving the pricing of laser vision correction procedures. In the securities area, the Firm most recently served as co-counsel for the Pennsylvania Public School Employers' Retirement System, the Pennsylvania State Employers' Retirement System, the State Workers' Insurance Fund and the Tobacco Settlement Investment Board in litigation arising from the funds' purchase of Time Warner and AOL securities, which resulted in a \$23 million settlement for the funds.

The Firm's lawyers are experienced in international matters, particularly matters involving Mexico. For example, the Firm has represented Ferrocarriles Nacionales de Mexico, the Mexican national railroad, in litigation in the United States. In addition, the Firm has represented a Mexican restaurant franchisers in cross-border, intellectual property disputes, and a Mexican marketing company in a cross-border commercial dispute. In the public finance area, the Firm's lawyers have served as counsel in connection with a wide range of municipal financings. In the white-collar criminal defense area, the Firm has represented defendants in high profile trial, post-trial, and appellate proceedings.

The Firm has also represented businesses and individuals in matters raising a range of issues, including employment, contract, and defamation claims in federal and state court.

**KENNETH I. TRUJILLO**, a member of the Firm, returned to the Firm after serving as the City Solicitor of Philadelphia for two years. As City Solicitor, Mr. Trujillo represented the Mayor, City Council and all departments, agencies and commissions of the City of Philadelphia. In addition, Mr. Trujillo sat on the Mayor's cabinet and ran the 155-lawyer Law Department. During Mr. Trujillo's tenure, the Law Department instituted a number of significant initiatives. For example, in April 2000, the City of Philadelphia filed a lawsuit against handgun manufacturers. Mr. Trujillo played a major role in the planning of the Republican National Convention and advised the Mayor in implementing the Neighborhood Transformation Initiative and the development of the Eagles and Phillies stadiums. Mr. Trujillo established an affirmative litigation unit to pursue claims in which the City has a significant interest. He also advised the Mayor and the Administration on labor disputes. He reorganized the Law Department's labor and employment practices to provide a higher level of service to City departments.

Mr. Trujillo was born in Española, New Mexico and raised in Durango, Colorado. He received a Bachelor of Science degree from Evangel College in Springfield, Missouri. Mr. Trujillo graduated from the University of Pennsylvania Law School in 1986 and joined the Philadelphia law firm of Schnader, Harrison, Segal & Lewis. While at the Schnader firm, Mr. Trujillo served the Philadelphia Law Department on loan for six months as part of the Public/Private Leadership Initiative. Mr. Trujillo joined the United States Attorney's Office in 1990. As an Assistant U.S. Attorney, Mr. Trujillo prosecuted some of the area's most significant financial fraud, labor corruption, and tax cases.

A substantial portion of Mr. Trujillo's work includes the representation of U.S. businesses in Mexico, and Mexican companies doing business in the United States. Mr. Trujillo has represented, among other companies, Ferrocarriles Nacionales de Mexico, the Mexican railroad, and Grupo Anderson's, S.A. de C.V., the largest restaurant chain in Mexico. Mr. Trujillo also does a significant amount of retirement, severance, and employee benefit litigation. Mr. Trujillo represents public entities in complex litigation. For example, Mr. Trujillo represented the City of Camden and the City of Philadelphia in handgun litigation. He also represented a Native American tribe in litigation seeking to recover damages from tobacco companies.

Mr. Trujillo is active locally and nationally in civic and business matters. He is the President of the Board of Directors of Congreso de Latinos Unidos, Inc. and the Secretary/Treasurer of the National Council of La Raza Board of Directors. In addition, Mr. Trujillo is the Vice Chairman of the Board of Directors of Health Partners, a 150,000 member managed care organization. Mr. Trujillo serves on the Board of Trustees of the University of the Arts. In 1997, Mr. Trujillo was named by Mayor Ed Rendell to serve as a member of the City of Philadelphia Police Corruption Task Force. In 1999, Mr. Trujillo was named one of the Philadelphia Business Journal's "40 Under 40." Most recently, Mr. Trujillo served as Deputy Counsel to Governor Ed Rendell's Transition Team and in January 2004, Mayor John F. Street asked Mr. Trujillo to serve on the Ethics Committee of his transition team. Mr. Trujillo is a member of the adjunct faculty at the University of Pennsylvania Law School.

Mr. Trujillo is a past President of the Hispanic Bar Association of Pennsylvania and board member of the Hispanic Bar Association of Pennsylvania Legal Education Fund and the Hispanic National Bar Association Board of Governors. He is a past member of the Board of Governors of the Philadelphia Bar Association and co-chair of its Federal Courts Committee. Mr. Trujillo was elected to membership in the American Law Institute. He has been a member

of the boards of directors of Community Legal Services, Inc., Philadelphia Volunteers for the Indigent Program (VIP) and Big Brothers/Big Sisters of Philadelphia, Inc. He served as a board member of the City of Philadelphia Board of Pensions and the Philadelphia Industrial Development Corporation.

**LISA J. RODRIGUEZ**, a member of the Firm, is a 1983 graduate (*with honors*) of the George Washington University Law School. She served as a law clerk to the Honorable Mitchell H. Cohen, Senior Judge of the United States District Court for the District of New Jersey. Ms. Rodriguez has appeared as a panel speaker for the Practicing Law Institute on Securities Regulation and has also appeared as a Lecturer for consumer and class action issues. She has participated in programs sponsored by consumer organizations, speaking and writing on consumer issues in general, and the rent-to-own industry in particular. Ms. Rodriguez served as a member of the Third Circuit Task Force on The Selection of Class Counsel, a position to which then Chief Judge Edward Becker appointed her. In addition, Ms. Rodriguez has served as a member of the Board of Editors of the Fen-Phen Strategist, a publication dealing with litigation concerning widely prescribed diet drugs.

Ms. Rodriguez is the attorney in charge of the Firm's New Jersey office, where she presides over a primarily class action practice. Ms. Rodriguez served as co-lead counsel in class actions challenging the practices of some companies in the rent-to-own industry in New Jersey, obtaining summary judgment on liability on behalf of three certified classes. In addition, Ms. Rodriguez is presently litigating cases on behalf of a class of retired and disabled law enforcement personnel in order to receive their share of proceeds stemming from an insurance company's demutualization. She is also co-counsel in an action on behalf of a class of pilots who were denied seniority when their airline was purchased by a competing airline.

In the securities and corporate governance areas, Ms. Rodriguez played a substantial role in In re PaineWebber Limited Partnerships Litigation, In re UJB Financial Services Corp. Shareholders Litigation, and Bogart v. National Community Bank, among other cases, each of which resulted in substantial settlements. Also, Ms. Rodriguez was co-counsel in Casey v. Amboy Bancorporation, a case challenging a "squeeze out" bank merger which resulted in a substantial judgment for shareholders after trial, and Ryan v. First Hope Bank, a derivative shareholder action which settled on the day of trial. Ms. Rodriguez served as counsel to the State of Connecticut pension funds in litigation under the Private Securities Litigation Reform Act pending in the District of New Jersey, and has also represented other institutional investors in similar litigation. In the antitrust area, Ms. Rodriguez has served as liaison counsel in a number of actions, including in In re Mercedes Benz Antitrust Litigation, (D.N.J.), In re Electrical Carbon Antitrust Litigation (D.N.J.) and In re Bulk Graphite Products Antitrust Litigation (D.N.J.). Ms. Rodriguez has also served as liaison counsel in the ERISA actions, including Furstenau v. AT&T Corp. (D.N.J.), In re Honeywell ERISA Litigation (D.N.J.) and In re Merck/Vioxx/ERISA Litigation (D.N.J.).

Additionally, Ms. Rodriguez serves on the District IV Ethics Committee and the New Jersey Supreme Court Committee on Character. She is a member of the Board of Trustees of the New Jersey Federal Bar Association. Ms. Rodriguez also serves on the Boards of the Camden Center for Law and Social Justice, and New Jersey Legal Services.

Ms. Rodriguez is admitted to practice before the United States Court of Appeals for the Third Circuit, the United States District Courts for the Eastern District of Pennsylvania, the District of New Jersey, and the Northern District of California. She is also admitted to the Supreme Court of Pennsylvania, the Supreme Court of New Jersey and the United States Supreme Court.



**IRA NEIL RICHARDS**, a member of the Firm, is admitted to practice in the States of New York and Pennsylvania, the United States District Courts for the Eastern District of Pennsylvania, the Middle District of Pennsylvania, the Southern District of New York, and the District of Nebraska, as well as the United States Court of Appeals for the Third Circuit, the United States Court of Appeals for the Second Circuit, and the United States Supreme Court. He is a 1986 graduate of the University of Pennsylvania School of Law (*magna cum laude*), where he served as Special Project Director of the University of Pennsylvania Law Review. He was elected to the Order of the Coif and received the Philadelphia Trial Lawyers Association Award and the Wapner, Newman & Associates Award, both for trial advocacy. He is a 1983 graduate of Cornell University, where he received a B.S. in industrial and labor relations.

Mr. Richards has played a prominent role in complex litigation matters, including litigation in the securities, antitrust, and consumer fields, as well as in criminal defense matters in federal and state courts. In the securities area, Mr. Richards has had a substantial role in the following cases, among others: Moskowitz v. Lopp 128 F.R.D. 624 (E.D. Pa. 1989); Steiner, et. al. v. Hercules Corporation, et al., No. 90-422 (D. Del. 1992); and Hayes v. Gross, 982 F.2d 104 (3d Cir. 1992). In Riley v. Simmons, 43 F.3d 764 (3d Cir. 1994), Mr. Richards successfully argued for the reversal of a District Court's order dismissing claims of investors in annuities on abstention grounds. Most recently, Mr. Richards served as co-counsel for four Pennsylvania government funds in litigation arising from the funds' purchases of AOL and Time Warner securities. The litigation resulted in a \$23 million settlement for the funds. Mr. Richards also serves as counsel to the City of Philadelphia Board of Pensions in derivative litigation arising from a corporation's alleged backdating of stock options.

In the antitrust field, Mr. Richards served as co-lead counsel in In re Pillar Point Partners Patent and Antitrust Litigation, MDL No. 1202 (D. Ariz.), which was a multi-district litigation involving antitrust claims asserted against manufacturers of excimer lasers used in vision correction procedures. The litigation resulted in a \$50 million settlement on behalf of a class of direct purchasers. Mr. Richards serves as co-lead counsel for plaintiffs in In re Pressure Sensitive Labelstock Antitrust Litigation, MDL No. 1556 (M.D. Pa.). In Meijer, Inc. v. 3M (E.D. Pa.), Mr. Richards served as counsel in an action brought on behalf of direct purchasers of private label tapes, alleging monopolization of the tape market. The litigation resulted in a \$28.8 million settlement for the class. Mr. Richards also served as a member of the Executive Committee of class counsel in In re Copper Antitrust Litigation, MDL No. 1303 (D. Wis.), was a member of the deposition team in In re Linerboard Antitrust Litigation, (E.D. Pa.), and is one of plaintiffs' counsel in In re Mercedes Benz Antitrust Litigation (D.N.J.), and is counsel for the City of Philadelphia in In re Hydrogen Peroxide Antitrust Litigation (E.D. Pa.). Mr. Richards served as co-lead counsel and a member of the trial team in an action against the major domestic airlines, see In re Airline Ticket Commission Antitrust Litigation, 898 F. Supp. 685 (D. Minn. 1995), which resulted an \$86 million settlement for travel agency owners. Mr. Richards presently is involved in a variety of other antitrust matters in a variety of capacities.

In the financial services area, Mr. Richards has litigated claims arising from the sale of credit insurance, home improvement financing, and the force placement of insurance, among other things, serving as lead or co-lead counsel in several cases that have resulted in significant recoveries. In Denise Roberts v. Fleet Bank (R.I.), N.A., 342 F.3d 260 (3d Cir. 2003), Mr. Richards successfully argued for application of the Truth in Lending Act in a case involving credit card solicitations. Mr. Richards also served as co-lead counsel in litigation on behalf of

financial advisors asserting claims under ERISA and state law, obtaining a \$15 million settlement in this litigation.

Mr. Richards has been active in the Firm's criminal defense practice, particularly in issues relating to the application of RICO, and the forfeiture of assets, and in post-trial and appellate proceedings. In addition, Mr. Richards has represented a variety of individuals and businesses in a range of litigation matters involving employment, contract, defamation, and other claims in both state and federal courts. For example, Mr. Richards served as co-counsel to the City of Philadelphia and the Philadelphia City Commissioners in litigation challenging the acquisition of voting equipment and the selection of polling places, under the Americans with Disabilities Act. Mr. Richards also successfully represented the Philadelphia Housing Authority in an appeal before the Pennsylvania Commonwealth Court (en banc) involving an issue of first impression under the Expedited Eviction of Drug Traffickers Act.

Mr. Richards is the co-author of an article published in the Practising Law Institute's Practical Litigator on the trial of securities actions. He has also lectured on financial services and litigation issues. In addition, Mr. Richards serves as a member of the Board of Directors of Congregation Beth Tikvah-B'nai Jeshuran and President of its Mens Club, as a coordinator for the Plymouth Soccer Club, and as a member of the Board of Directors of the Philadelphia Region of the Anti-Defamation League. In 1999, Mr. Richards was named one of the Philadelphia Business Journal's "40 Under 40." In 2004, 2005, and 2006, Mr. Richards was named one of Pennsylvania's "Super Lawyers."

**DONNA SIEGEL MOFFA**, a member of the Firm, is admitted to practice before the United States Courts for the Districts of New Jersey and the District of Columbia, as well as the Supreme Court of New Jersey and the District of Columbia Court of Appeals. She is a 1982 graduate (*with honors*) of Georgetown University Law Center. She received her undergraduate degree (*with honors*) from Mount Holyoke College in Massachusetts in 1979.

Prior to entering private practice, Ms. Moffa was a staff attorney at both the Federal Energy Regulatory Commission (FERC), where she worked in the Divisions of Administrative Law and Hydroelectric Licensing, and the Federal Trade Commission (FTC). At the FTC, as a member of the Bureau of Consumer Protection, she litigated cases involving allegations of deceptive and unsubstantiated advertising against R.J. Reynolds and General Nutrition Company. In addition, both at FERC and the FTC, Ms. Moffa was involved in a wide range of administrative and regulatory issues including labeling and marketing claims, compliance, FOIA and disclosure obligations, employment matters and licensing. She has also participated in a number of rulemaking proceedings and contributed to the Final Report to the Federal Trade Commission on the Children's Advertising Rulemaking Proceeding.

In private practice, Ms. Moffa has continued to focus on consumer protection litigation and has substantial experience in consumer class actions. Prior to joining the Firm, Ms. Moffa worked with Ms. Rodriguez as co-lead counsel in successfully challenging the practices of certain companies in the rent-to-own industry in New Jersey. As a result of that case, a significant monetary recovery was obtained for consumers and changes were made in the contracts these companies use to provide more information to consumers.

Additionally, Ms. Moffa's practice continues to include representation of individuals and businesses in commercial, contractual and tort litigation. She has successfully represented such clients in invasion of privacy actions, wage and hour proceedings, and contractual disputes. She has also addressed consumer protection and litigation issues in presentations to consumer groups, unions, and organizations, as well as, professional associates. In addition, she has contributed to professional publications for consumer advocates.

### ASSOCIATES

**NICOLE M. ACCHIONE** is a 1996 graduate (*magna cum laude*) of New England School of Law, Boston, MA. While in law school, Ms. Acchione was a Case and Note Editor of the New England Law Review. Ms. Acchione served as a judicial law clerk to the Honorable George L. Seltzer of the Superior Court of New Jersey, Atlantic County, Civil Division. Prior to joining the Firm, Ms. Acchione was an Assistant Prosecutor with the Atlantic County Prosecutor's Office. Ms. Acchione is admitted to practice law in New Jersey and Pennsylvania, as well as the United States District Court for the District of New Jersey.

**GARY M. GOLDSTEIN** is a 1997 graduate (*magna cum laude*) of Temple University Law School. Mr. Goldstein was formerly an associate with Dechert, Price & Rhoads, in Philadelphia. Mr. Goldstein is admitted to practice in the Commonwealth of Pennsylvania and in the United States District Court of the Eastern District of Pennsylvania.

**KATHRYN C. HARR** is a 2002 graduate (*cum laude*) of Temple University Law School, where she served as Managing Editor of Temple Law Review. While in law school, she acted as a mediator in Landlord Tenant Court in Philadelphia and completed an internship with the U.S. Attorney's Office for the Eastern District of Pennsylvania. Ms. Harr concentrates her practice on complex litigation, including class action and health effects matters. She is a member of the board of directors of the Wissahickon Art Center. Ms. Harr is admitted to practice in the Commonwealth of Pennsylvania and the United States District Court for the Eastern District of Pennsylvania.

**R. ANDREW SANTILLO** is a 2004 graduate of Temple University School of Law where he served as the Editor-in-Chief of the Temple Political & Civil Rights Law Review and authored the comment, "National Wrestling Coaches Association v. United States Department of Education: The Potential Takedown of the Current Application of Title IX to Intercollegiate Athletics," 13 Temp. Pol. & Civ. Rts. L. Rev. 187 (Fall 2003). Mr. Santillo is admitted to practice law in Pennsylvania and New Jersey, as well as the United States District Court for the District of New Jersey, the Eastern District of Pennsylvania and the Middle District of Pennsylvania.

**ALEXANDRA H. TOMICH** is a 2006 graduate of Temple University School of Law. Ms. Tomich completed her undergraduate studies Columbia University with a B.A. in English. While in law school, she acted as a client advocate in the Custody and Assistance Support at Philadelphia Legal Assistance and completed an internship at the Camden County Prosecutor's Office. Ms. Tomich is admitted to practice law in the Commonwealth of Pennsylvania.

August 2007